

The Gazette of India

ॐ नमो भगवते वासुदेवाय

EXTRAORDINARY PART II—Section 3—Sub-section (i) PUBLISHED BY AUTHORITY

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MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi-2, the 6th March, 1958.

G.S.R. 104.—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union Territory of Manipur the Bombay Vidarbha Region Agricultural Tenants (Protection from Eviction and Amendment of Tenancy Laws) Act, 1957 (Bombay Act IX of 1958), as now in force in the State of Bombay, subject to the following modifications, namely:—

1. In section 1,—

(i) for sub-section (2), the following sub-section shall be substituted, namely—

‘(2) It shall apply to such areas as the Chief Commissioner of Manipur may, by notification in the Official Gazette, determine in this behalf, but shall not apply to leases of land granted by the Government.’;

(ii) in sub-section (4), in clause (a), the brackets and letter “(a)” and clause (b) shall be omitted.

2. In section 2,—

(i) for clause (1), the following clause shall be substituted, namely—

‘(1) “landlord” means a person from whom a tenant holds land.’;

(ii) for clause (3), the following clause shall be substituted, namely—

‘(3) “tenant” means a person who cultivates the land of another under an agreement, express or implied, on condition of paying therefor rent in cash or in kind or delivering a share of the produce, and shall include a person who cultivates the land on payment of lousal or under the system generally known as bhag, adhi or barga.’;

(iii) clause (4) shall be omitted.

3. In section 3, for the words and figures “the Berar Regulation of Agricultural Leases Act, 1951, or the Madhya Pradesh Land Revenue Code, 1954, or in any other”, the word “any”, for the words “during a period of two years from

the date of the commencement of this Act", the words "during the period this Act remains in force", and for the words and figures "the agricultural year ending on the 31st day of March 1958", the words and figures "the year previous to the year commencing on the Basant Panchmi day of 1958", shall be substituted.

4. In section 4, for the words and figures "the agricultural year ending on the 31st day of March 1958", the words and figures "the year previous to the year commencing on the Basant Panchmi day of 1958" shall be substituted.

5. In section 6, for the words "State Government", the words "Chief Commissioner of Manipur" shall be substituted.

6. Sections 7 and 8, and the Schedule shall be omitted.

ANNEXURE

The Bombay Vidarbha Region Agricultural Tenants (Protection from Eviction and Amendment of Tenancy Laws) Act, 1957 as modified.

BOMBAY ACT NO. IX OF 1958.

An Act to provide for the protection from eviction of tenants of agricultural lands in the Vidarbha region of the State of Bombay, for the stay of proceedings pending or commenced therefor, and for the amendment, for certain purposes hereinafter appearing, of the Berar Regulation of Agricultural Leases Act, 1951, and the Madhya Pradesh Land Revenue Code, 1954.

Whereas it is necessary to provide for the protection of tenants from eviction of agricultural lands in the Vidarbha region of the State of Bombay, for the stay of proceedings pending or commenced therefor, and for the amendment, for certain purposes hereinafter appearing, of the Berar Regulation of Agricultural Leases Act, 1951, and the Madhya Pradesh Land Revenue Code, 1954. It is hereby enacted in the Eighth year of the Republic of India as follows:—

1. *Short title, extent, commencement and duration.*—(1) This Act may be called the Bombay Vidarbha Region Agricultural Tenants (Protection from Eviction and Amendment of Tenancy Laws) Act, 1957.

(2) It shall apply to such areas as the Chief Commissioner of Manipur may, by notification in the Official Gazette, determine in this behalf, but shall not apply to leases of land granted by the Government.

(3) It shall come into force at once.

(4) This Act shall remain in force up to and inclusive of the 31st day of December 1958.

2. *Definitions.*—In this Act, unless the context otherwise requires—

(1) "landlord" means a person from whom a tenant holds land;

(2) "prescribed" means prescribed by rules made under this Act;

(3) "tenant" means a person who cultivates the land of another under an agreement, express or implied, on condition of paying therefor rent in cash or in kind or delivering a share of the produce, and shall include a person who cultivates the land on payment of lousal or under the system generally known as bhag, adhi or barga.

3. *Bar against eviction of tenants.*—Notwithstanding anything in any law for the time being in force, or in any contract, or the judgment, decree or order of a Court, tribunal or authority, no tenant shall, during the period this Act

remains in force, be evicted from any land held by him as a tenant if such tenant tenders, within the prescribed period, to the landlord, or any person acting on his behalf, any rent or lease-money due to the landlord in respect of the land for the year previous to the year commencing on the Basant Panchmi day of 1958, and is willing to hold the land thereafter as tenant on the same terms and conditions on which he was holding the land.

4. *Stay of proceedings.*—Notwithstanding any law for the time being in force, all proceedings pending at the date of the commencement of this Act, or which may be instituted during the period this Act remains in force, for the termination of the tenancy and the eviction of a tenant (including any proceedings for the execution of an order of eviction) shall be stayed if the tenant deposits, within such period as may be prescribed, in court, or before the authority or officer, in which, or before whom the proceeding is pending or instituted, the rent or lease-money due to the landlord for the year previous to the year commencing on the Basant Panchmi day of 1958.

5. *Revival of rights, liabilities, etc., on the provisions of Act ceasing to have force.*—(1) Any right, privilege, obligation or liability acquired, accrued or incurred under any enactment, judgment, decree or order of any Court or tribunal or authority or by any contract between the parties immediately before the commencement of this Act, or which may be acquired, may accrue or be incurred during the period for which this Act remains in force, but the enforcement of which has been stayed by the provisions of this Act, shall immediately on such provisions ceasing to have force revive and be enforceable as if such provisions had not come into force.

(2) In computing the period of limitation for the enforcement of any such right, privilege, obligation or liability, the period during which the proceedings in respect thereof are stayed under this Act shall be excluded, notwithstanding anything contained in any law for the time being in force.

6. *Rules.*—The Chief Commissioner of Manipur may make rules for the purpose of carrying out the provisions of this Act. Such rules shall be subject to the condition of previous publication and shall, when finally made, be published in the Official Gazette.

[No. F.9 (1)/58-Judl.II.]

S. NARAYANSWAMY, Dy. Secy.

